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ABSTRACT

This issue of "Journalism Monographs" deals specifically with the state of newspaper journalism in Sri Lanka, formerly the Dominion of Ceylon. The country's literacy rate is about 81 percent. The first section of this article is a general discussion of newspaper journalism in Sri Lanka, examining historical background and such press characteristics as concentration, ownership and control, circulation and readership, and advertising. The second section discusses press and politics, focusing on the government-press conflict, the press commission, press claims, government retaliation, the Press Council Law, The Lake House Law, and the future of the press. The final section is a postscript which reports on developments through the end of 1974. Recent events seem to indicate that the prospect of a vigorous investigative press in Sri Lanka appears to be relatively dim. (TS)

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The Taming of the Press in Sri Lanka

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Introduction

THE STATE of newspaper journalism in Sri Lanka[1]* recalls a recent statement by James C. Thomason, curator of the Nieman Foundation at Harvard:

> . . . there is no "final solution" . . . to the Government-media problem in a democracy, for the continuous tension between these two powerful institutions is a fundamental life sign—like blood pressure, for instance—within the body politic.
>
> One should therefore be warned against all proposed "solutions" that put an end to the tension itself. As with blood pressure, the tension can get perilously high, also comatosely low . . .[2]

The "fundamental life sign" that Thomson speaks of no longer appears to prevail in Sri Lanka. The tension he speaks of has gotten "comatosely low" and the prospect of a vigorous, investigative press in the country appears to be relatively dim.

Historical Background

Newspapers, in the modern sense, were introduced as a medium of communication in what was then Ceylon only after the British occupation of the island. The first newspapers were published in English, the language of the British, rather than in Sinhalese, the language of a large majority of the people. Obviously the original newspapers were not intended for the masses. Hulugalle points out that "the press in Ceylon, until the middle of the nineteenth century, was published in the English language, by Englishmen, and mainly for Englishmen."[3]

The earliest news publication was the *Government Gazette,* launched by the British administration three months after the country was declared a Crown Colony in 1802. In addition to government news, this publication contained marriage and death notices of prominent people and literary contributions as well. But what could be called the first newspaper, the Colombo *Journal,* was not published until 30 years later. Edited by Postmaster-

* Notes are found at the end.

General George Lee, it had the active support of Gov. Robert Wilmot Horton. This was the beginning of the island's free press.

The establishment of a free press owed much to William M. G. Colebrooke, a Royal Commissioner who was appointed in 1829 to inquire into the civil government. Sensing that the power of the Governor to banish a person without trial could have a detrimental effect on the development of a vigorous and critical press, he recommended the repeal of that power and the encouragement of an independent press.

The *Journal* had a short life span because the authorities in England wanted the Governor to divert his attention from the *Journal* to the official *Gazette*. However, a biweekly started on February 4, 1834, by a group of English merchants, *Observer and Commercial Advertiser,* helped fill the vacuum. The *Observer,* which has survived as the island's oldest newspaper, became a vigorous critic of the Administration, so much so that Governor Horton encouraged the launching of another newspaper, the Colombo *Chronicle,* the first issue of which was published in May, 1837. This newspaper lasted only 16 months but was succeeded by the Ceylon *Herald* in September, 1838. It changed hands several times until 1845 when a group of English merchants bought its machinery at a public auction and, in 1846, issued the *Ceylon Times,* which has survived as the country's second oldest newspaper under the name *Times of Ceylon.* In the same year English mercantile interests launched another biweekly, the *Ceylon Examiner,* which lasted until 1900.

Meanwhile the *Observer,* whose editorship and ownership passed to a Scotsman by the name of A. M. Ferguson in 1858, became the organ of the plantation interests who were then highly critical of the parliament.

Ceylonese themselves started publishing English language newspapers later in the century. These included the first morning newspaper, published in 1881, the *Ceylon Independent,* owned by Sir Hector Van Cuylenberg, and the *Standard* (1898), which later became the *Ceylon Morning Leader* (1907). Missionaries used the columns of the English language press widely to influence the country's educational policy.

In 1913 a group of Ceylonese nationalists launched the *Ceylonese*—primarily to carry on agitation for constitutional reform.

But, beset with financial difficulties, it had to auction its machinery, which was bought by D. R. Wijewardene, the country's best known newspaper magnate, who on January 3, 1918, launched the *Ceylon Daily News*, the country's leading English language newspaper to this day. Its phenomenal success caused the extinction of its rivals, the *Independent* and the *Leader*. Wijewardene also acquired the *Observer*, which Ferguson had sold to a European syndicate in 1920. Then he took further steps to strengthen the base of Sinhalese journalism with the formation of the Associated Newspapers of Ceylon, Ltd. (ANCL), the island's dominant newspaper group.

The English language press, in general, was opposed to the welfare policies of the Government. According to Sumathipala, the *Times of Ceylon* was opposed to the free education bill presented to the State Council in 1938 and "even went to the extent of asking the British government not to grant self-government to Ceylon if the Bill was passed." The *Times* was also opposed to the universal franchise, which it called "the most serious blot on the Ceylonese constitution." The *Daily News*, too, was originally opposed to "free education from kindergarten to the university," which it called a "luxury" that "cannot be maintained by a community which is not geared to a high degree of economic production."[4]

Compared to the English language press, the Sinhalese press had a late start. The first Sinhalese newspaper, *Lakmini Pahana*, started in 1862, was followed by several weeklies, including *Lanka Lokaya*, *Lakrivi Kirana* and *Gnanartha Pradeepaya*. This was followed in 1880 by *Sarasavi Sandaresa*, edited by a famous Sinhalese pundit, Weragama Bandara. There was also at the time a Sinhalese daily known as *Dinapatha Pravurthi*. In 1903 a powerful newspaper, the *Sinhala Jathiya*, was launched by Piyadasa Sirisena, one of the best known Sinhalese novelists. The *Sinhala Bauddhaya* was founded in 1906 by the Venerable Dewamitta Dharmapala as a service to Sinhalese Buddhists.

The Sinhalese press, in general (excepting the Catholic *Gnanartha Pradeepaya*), exuded a remarkable pro-nationalistic and pro-Buddhist bias, the general trend of the English language press being pro-Western and pro-Christian—a trend that continued well into the 1960s.

The country's Sinhalese press had a shot in the arm when the British administration decided in 1870 to "undertake vernacular education on a large scale" with a government school in every village.

A Sinhalese daily press emerged only after the turn of the century, with *Dinamina* and *Lakmina* as the trailblazers. The *Dinamina* was started in 1908 by H. S. Perea and later bought by Wijewardene, who made it the largest circulation daily newspaper in the country. A Tamil daily, *Thinakaran*, was added to the ANCL group in 1932. According to Hulugalle, "D. R. Wijewardene inaugurated a new era in Ceylon journalism by sound organization and the introduction of the latest machinery for newspaper production. . . ."[5]

By the late 1940s the country's daily press had become a "duopoly" of the ANCL (popularly known as Lake House) and the Times of Ceylon Ltd., which in 1947 started a Sinhalese daily, *Lankadipa*, to compete with the successful *Dinamina*. (With Independence the Times' ownership had passed on to local capitalists from the hands of Englishmen.) A third company had in 1930 started a Tamil daily, *Virakesari*, but its share in the newspaper market was negligible. The ANCL added a Sinhalese evening daily, *Janata*, in 1953, while the Times group added an a.m. English daily, *Morning Times*, in 1954. The latter folded four years later and was revived in 1961 as the Ceylon *Daily Mirror*.

An unsuccessful attempt was made in the 1950s by the Swadeshi Newspapers Ltd. to capture a share of the daily newspaper market. This company, the publisher of the weekly *Sinhala Jathiya*, tried out a Sinhalese daily, *Jathiya*, and an English daily, *Guardian*, both of which failed. The power of the newspaper duopoly was such that several other papers had had to give in before—the *People*, the *Evening News and Advocate*, the *Ceylon Daily Mail*, *Swadesha Mitraya* and *Sinhala Balaya*.

Backed by the financial resources of the country's largest book publishing company (M. D. Gunasena & Co. Ltd.), a new newspaper group, the Independent Newspapers Ltd., launched a Sinhalese daily, *Dawasa*, together with a Sunday counterpart, *Rividina* (later *Riviresa*) in 1961. From the start the company achieved success. It surpassed the Times group with the second largest share of the daily newspaper market. The company had the

blessings of the Sirimavo Banadaranike Government at the time of its inception in addition to the journalistic genius of a veteran newspaperman, D. B. Dhanapala, who had earlier edited the *Lankadipa* for the Times group.

Press Characteristics

Concentration. A decade ago, nearly 95 per cent of the country's daily newspaper market was held by the Associated Newspapers of Ceylon Ltd. (54 per cent), the Times of Ceylon Ltd. (21 per cent) and the Independent Newspapers Ltd. (20 per cent).[6] Today, on the basis of the available circulation figures for 1973, some diffusion of the market has occurred. The three big companies now control only about 82 per cent, the ANCL's share being approximately 40 per cent, the Times' 17 per cent and the Independent Newspapers' 25 per cent.

The rest of the market is shared by two Tamil newspaper companies, Virakesari Ltd. and Eelanadu Ltd., and three political party dailies—*Aththa*, published by the Communist Party (CP) of Ceylon, Moscow Wing; *Janadina*, published by Suriya Publishers for the Lanka Sama Samaja Party (LSSP), and *Siri Laka*, published by the Sri Lanka People's Press for the Sri Lanka Freedom Party (SLFP).

The ANCL publishes five dailies (two in Sinhalese, two in English, one in Tamil) and three Sunday newspapers (one in each language). The Sinhalese newspapers, the daily *Dinamina* and the Sunday *Silumina*, are its best money makers, the latter having the largest circulation of any newspaper in the country. It also publishes several specialized weeklies in Sinhalese dealing with religion, culture, astrology and news of interest to women and children.[7]

Independent Newspapers also publishes five dailies (two in Sinhalese, two in Tamil and one in English) and three Sunday newspapers (one in each language).[8] The mainstays of the company are the Sinhalese daily, *Dawasa*, and its Sunday counterpart, *Riviresa*. This company also publishes several specialized periodicals covering culture, literature, astrology, cinema, children's news and the like.[9]

The Times group publishes three dailies (two in English and one in Sinhalese) and two Sunday newspapers (one each in Sin-

halese and English). Again the company is sustained by its Sinhalese newspaper. No Tamil newspapers are published by this company, even though its ownership has been Tamil-oriented. The company also publishes a weekly women's magazine and a monthly general interest magazine in Sinhalese.[10]

Virakesari Ltd. publishes two Tamil dailies, their Sunday counterparts and a Tamil astrological weekly, *Jothi*. Eelanadu, Ltd., located in the northern city of Jaffna, publishes the only daily newspaper published outside the capital city of Colombo. Except for the Tamil *Eelanadu* and its Sunday edition, which are localized for the Tamil population in the north, all other daily and Sunday newspapers have a nationwide circulation.

Ownership and Control. The country's largest newspaper publishing group, ANCL (or Lake House), ceased to be a private company in July, 1973, when the Government nationalized 75 per cent of its shares with the remainder allocated to the "former owning family." The nationalized shares are held in trust by the Public Trustee until they are sold to the general public (as described later in this chapter) so that "in the not so very long run" the company "will again be in the ownership of persons other than the state."[11] However, as of the end of 1973, none of the shares had been sold to the public because the shares had not been "valued."[12] Until its first annual general meeting following the "take-over," the company was being run by a board of directors appointed by the Public Trustee.

Before the "take-over," the company had a subscribed capital of 6 million rupees (approximately $1 million) with four directors and their spouses owning more than two-thirds of the entire issue.[13] The company's 600,000 shares were owned by 42 persons. The articles of association prohibited "any invitation to the public to subscribe for any shares or debentures or debenture stock of the company."[14]

While up-to-date financial information about the other newspaper publishing companies is not available, the 1963 Press Commission provided the following information:[15]

The Times of Ceylon Ltd., a public company, had a share capital of 4.2 million rupees and 75 shareholders. However, the company was controlled by a few shareholders. The executors of the Sangarapillai Trust alone held about 40 per cent of the shares.

(Today Times has a subscribed share capital of 3.9 million rupees and 95 shareholders. But nearly 50 per cent of the subscribed shares are owned by Macwoods Ltd. Two private individuals, D. J. Ranaweera and H. W. Amara Suriya, own 15 per cent and 10 per cent respectively.)

The Independent Newspapers Ltd., a private company, had a share capital of 1 million rupees divided among 14 shareholders, all of whom were members of the Gunasena family. More than half the share capital came from M. D. Gunasena & Co. Ltd., the country's leading book publisher. Virakesari, Ltd., a private company, had a share capital of 1 million rupees and 19 shareholders. It was controlled by a board of directors comprised solely of Indian nationals. Eelanadu, Ltd., a private company, had a share capital of 500,000 rupees and 28 shareholders and was controlled by an all-Tamil directorate. (Today, while its share capital is unchanged, it is spread among 49 shareholders.) Thus each of these companies has been controlled by what the Press Council termed "a small group of persons."[16]

Following a struggle within the Times directorate in 1973, with a case pending in the courts, the deputy chairman of the company, P. A. Ediriweera, has undertaken "to see that the ownership . . . was broadbased so that the control of the company would not be in the hands of a few individuals." Following the policy of the Bandaranaike Government, Ediriweera indicated that "even the workers would be able to participate as shareholders and safeguard their interests."[17] Thus the Times newspapers, which have been very critical of the ruling coalition parties in the past, have implicitly agreed to toe the line of the present coalition Government.

Prime Minister Sirimavo Bandaranaike warned that she hoped Independent Newspapers, Ltd., would also follow suit without forcing "the hands of the Government."[18] Ironically, this company, which was launched with the blessings of the Bandaranaike Government, has become the only one of the three large newspaper publishing companies to carry forthright criticisms of the Government. Opposition party leaders complain that it is only through these newspapers that opposition viewpoints can be expressed. One has said that journalism today has "been reduced to a cowardly profession," terming the propaganda carried out by the Government "worse than that of Goebbels."[19]

The country's only broadcasting outlet is a public corporation unable to voice criticisms of the Government in power. And, since 1973, when two of the three newspaper "monopolies" were tamed, freedom of the press has been curtailed in Sri Lanka.

Assessing press freedom in 1973, Ernest Meyer, director of the International Press Institute, wrote that "legislation for a particular publishing house" was "a dangerous precedent" and that "it is feared . . . similar measures might be taken against other Cingalese (sic) press groups who have continued to fight against the attacks made on press freedom by the Government."[20]

Circulation and Readership. Total estimated daily newspaper circulation in the country (as shown in Table 1) is 615,000 copies for a population of 13 million. UNESCO figures show that the number of daily newspaper copies per hundred people has risen from 3.6 in 1960 to 4.9 in 1970. Newsprint consumption per inhabitant rose from 1.2 kilograms to 1.5 and total newsprint consumption from 11,500 metric tons to 18,300 in the same span.[21] If newspaper readership is considered about five times total circulation, the country's daily newspaper readership could be estimated at 3 million.

Ceylon's socio-economic survey 1969-70 shows that 89.6 per cent of males and 75.5 per cent of females over the age of ten are literate. A study conducted by the author in four peasant communities showed that "for all practical purposes, everyone who could read accurately (was) also able to answer the question testing functional literacy."[22] An island-wide survey conducted by the Audit Bureau of Circulations in 1967 reported that 58 per cent of the male population and 28 per cent of the female population report reading newspapers. Urban readership was more intensive than rural.[23] The same media survey also revealed that:

- The readership of the Sinhalese publications is spread evenly among all groups while readership of English language publications is confined to the urban middle classes.
- There is little duplication between English and Sinhalese publications.
- The most widely read type of publication is the morning daily and most readers spend at least 15 minutes reading it.
- Local and foreign news receive the greatest amount of attention, followed by sports news and the editorial.

- Borrowing and lending of newspapers is widespread.
- In urban areas most people read newspapers at home because they buy every issue, but some are read in offices; in rural areas most people read their newspapers outside their homes—in eating houses, boutiques and community centers;
- Most newspaper readers read every issue, but about one-fourth merely glance through them.
- Readership of weeklies, fortnightlies and monthlies was at a much lower level: 20 per cent among men and 12 per cent among women.

The author's study showed that the villagers were primarily interested in reading domestic news, short stories and verses, astrological news, police reports, cartoons and lottery results. Foreign news, letters to the editor, editorials, advertisements, radio programs and cinema news were only of secondary interest to them.[24]

The first newspaper readership survey conducted in the country in 1964 found that

> the reading of publications in more than one language was limited to a very small proportion of the population, almost entirely of the urban middle class . . . While 53 per cent of the men and 23 per cent of the women read some publication, 42 per cent of the men and 16 per cent of the women read only Sinhalese publications, 3 per cent of the men and 1 per cent of the women read only Tamil publications, and 3 per cent of the men and 4 per cent of the women read only English publications. Only 4 per cent of the men and 3 per cent of the women read both English and Sinhalese publications, and less than one-half of 1 per cent of the men and no detectable proportion of the women read both English and Tamil publications. The reading of both Sinhalese and Tamil publications was almost non-existent.[25]

Thus the Sinhalese newspapers are geared primarily to the Sinhalese Buddhists while the Tamil newspapers are oriented to the Tamil Hindus, there being hardly any Sinhalese Hindus or Tamil Buddhists. The English language newspapers cater to the more educated elite across racial and religious lines.

A dip in newspaper circulation was observed in 1973. Lake House newspapers have experienced "a steady drop in circulation" resulting from cuts in its newsprint quota from the Eastern Paper Mills Corporation, the country's newsprint producer. A tight foreign-exchange situation has forced the Government to restrict the newsprint imports severely. The import price had risen to 3,200 rupees (approximately $533) per ton by the end of 1973.

TABLE 1

Average Circulation of the Daily and Sunday Newspapers of Sri Lanka, 1964 and 1973, by Ownership Group

Publishing Groups and Newspapers	*Language*	*Established*	*1964[a] Circulation*	*1973[b] Circulation*
The Associated Newspapers of Ceylon Ltd. (Lake House):				
Dailies				
Dinamina, a.m.	Sinhalese	1909	82,804	130,699
Daily News, a.m.	English	1918	60,148	65,554
Janata, p.m.	Sinhalese	1953	33,353	17,826
Thinakaran, a.m.	Tamil	1932	23,424	26,923
Observer, p.m.	English	1834	12,818	7,728
Total			212,544	248,740
Sunday Editions				
Silumina	Sinhalese	1930	178,801	355,864
Observer	English	1923	72,343	82,218
Thinakaran	Tamil	1948	27,098	33,575
Total			278,242	471,657
Independent Newspapers Ltd.:				
Dailies				
Dawasa, a.m.	Sinhalese	1961	53,211	70,000
Sawasa, p.m.	Sinhalese	1963	28,000	23,000
Sun, a.m.	English	1964	n.a.	18,000
Thinapathi, a.m.	Tamil	1966	—	22,000
Thanthi, p.m.	Tamil	1967	—	20,000
Total			81,211	153,000
Sunday Editions				
Riviresa	Sinhalese	1961	112,373	210,000
Weekend	English	1965	—	52,000
Chinthamani	Tamil	1966	—	25,000
Total			112,373	297,000
Times of Ceylon Ltd.:				
Dailies				
Lankadipa, a.m.	Sinhalese	1947	50,765	67,321
Daily Mirror, a.m.	English	1961	17,885	31,500*
Times of Ceylon, p.m.	English	1846	14,395	8,300
Total			83,045	107,121
Sunday Editions				
Sri Lankadipa	Sinhalese	1951	125,310	139,211
Sunday Times	English	1923	35,961	35,000
Total			161,271	174,211

TABLE 1—Continued

Publishing Groups and Newspapers	*Language*	*Established*	*1964*[a] *Circulation*	*1973*[b] *Circulation*
The Virakesari Ltd.:				
Dailies				
Virakesari, a.m.	Tamil	1930	16,080	26,431
Mithran, p.m.	Tamil	1966	—	19,233
Total			16,080	45,664
Sunday Editions				
Virakesari	Tamil	1930	18,211	29,812
Mithran	Tamil	1966	—	23,641
Total			18,211	53,453
Eelanadu Ltd.:				
Daily				
Eelanadu, a.m.	Tamil	1959	n.a.	10,000
Sunday Edition				
Eelanadu	Tamil		n.a.	10,800*
Communist Party of Ceylon (Moscow Wing):				
Daily				
Aththa, a.m.	Sinhalese	1965	—	41,000*
Sunday Edition				
Aththa	Sinhalese		—	47,000*
Sri Lanka People's Press:				
Daily				
Siri Laka, a.m.	Sinhalese	1968	—	6,000*
Sunday Edition				
Siri Laka	Sinhalese		—	6,000*
Suriya Publishers:				
Daily				
Janadina, a.m.	Sinhalese	1965	(temporarily suspended)	

[a] Circulation figures from *Ceylon Year Book 1967* (Colombo: Department of Census and Statistics), p. 297.

[b] Circulation figures from Thomson Associates (Ceylon) Ltd., released on July 17, 1973, except those with asterisks, which are from *Editor & Publisher International Yearbook 1973*, pp. 484-5.

The daily circulation of Lake House newspapers is estimated to have gone down by as much as 100,000 between April and December of 1973.[26] How much this dip is due to the newsprint shortage and how much is due to a boycott of the "nationalized" newspapers organized by opposition political parties cannot be determined.

The average newspaper now has no more than four pages on week-days and ten on Sundays, but the price per copy of 50 Ceylonese cents (approximately 5 U.S. cents) is still beyond the means of the average citizen, considering that per capita annual income is around $140. This may be the primary reason newspaper circulation is not commensurate with the country's literacy rate.

Advertising. In the opinion of the 1963 Press Commission, "the more powerful advertisers and private capitalist interests, both foreign and local . . . , have a pervading and powerful influence over the newspaper organization" in the country. For instance, the commission said the press could not afford "to be too critical of films" shown by their movie-theater advertisers because of threats to withdraw advertising as Ceylon Theatres Ltd. once did. The Commission implied there was pressure from oil companies when newspaper advertising managers objected to some words used in an ad for the Ceylon Petroleum Corporation, even though the Shell company had ads designed to affect the popularity of Lanka Petrol. But it failed to find any degree of pressure from such heavy advertisers as Lever Bros., Ceylon Tobacco Co. and Ceylon Theatres Ltd.

The commission observed that the daily newspapers and their Sunday counterparts devoted "far too much space" to advertising "while the reading content is altogether meager." On the basis of a random selection of newspapers for three months, the Sunday *Observer* devoted 61 per cent of its space to advertising, the Ceylon *Daily News* 38.5 per cent, the *Silumina* 38.4 per cent, the *Dinamina* 36.1 per cent, the Sunday *Times* 34.4 per cent, the *Lankadipa* 31.4 per cent, the daily *Observer* 29.4 per cent, the Sunday *Lankadipa* 29.2 per cent, the *Times of Ceylon* 28.7 per cent, the *Dawasa* 23.7 per cent, the *Daily Mirror* 17.2 per cent, the *Janata* 5.7 per cent and *Sawasa* 3.2 per cent.[27]

The country's "more powerful and important advertising agen-

cies," according to the commission, were Grants Advertising (Ceylon) Ltd., International Advertising Services, J. Walter Thompson & Co. (Private) Ltd. and Stronachs Advertising Ltd. Today, about a dozen advertising agencies exist, led by Grant with annual billings of $310,000 (1973), De Alvis Advertising Co. with $279,800, Thompson Associates (Ceylon) Ltd. with $207,250 and Zenith Advertising with $155,400.

International Advertising Services estimated total advertising expenditure in all media at 28 million rupees in 1966 (approximately $4.7 million), which is about 0.4 per cent of the national income. That is about 2.60 rupees or 43 U.S. cents per capita. Between 60 and 65 per cent of all advertising expenditures was in print media, 15 per cent in radio, 5 per cent in screen advertising and 3 per cent in outdoor advertising.[28]

The reduction in newspaper pages owing to the newsprint shortage had led to "considerable" advertising revenue loss by 1973. Prime Minister Sirimavo Bandaranaike conceded that Lake House newspapers, after the "take-over," had had to reduce advertising, although "private sector advertising (still) exceeds public sector advertising."[29] Plainly the country's newspapers carry less advertising today than in the 1960s. The advertising industry has been deeply affected by the country's depressed economy, the newsprint shortage and the high price of special papers and inks. Because manufacturers depend upon government-allotted import quotas, there is little incentive to advertise scarce goods.

Press laws. A Government-appointed Press Council, details of which are provided below, was set up in 1973 to entertain complaints against the newspapers.

Aside from the Press Council, an aggrieved party can obtain relief in the courts "where the publication comes within the law of defamation." However, no relief is available in the courts "where the offending publication is merely inaccurate or untrue, and does not carry with it all the elements necessary to constitute the civil law of defamation." This, apparently, is where the Press Council is meant to be helpful.

The provisions relating to the criminal law of defamation are found in Chapter XIX of the Penal Code. Here, the definition of the offense of defamation "is designed to punish a person who

publishes an imputation concerning another person intending or knowing or having reason to believe that the imputation will harm his reputation . . ."

The law governing the civil wrong of defamation in Sri Lanka is the Roman-Dutch law, under which (compared to the English law) the truth of the libellous statement is not a sufficient defense; and "the defendant must, to escape liability, prove that the statement is not only true but also that its publication was in the public interest."[30]

* * *

THE COUNTRY'S newspapers, in general, carry very little foreign news, a problem exacerbated by the newsprint shortage. The vernacular newspapers and the Sunday editions of newspapers, in general, publish almost no foreign news. The 1963 Press Commission reported that only four newspapers devoted more than 10 per cent of newshole to foreign news: *Times of Ceylon* 19.7 per cent, *Sawasa* 15.3 per cent, Ceylon *Daily Mirror* 13.5 per cent and Ceylon *Observer* 13.4 per cent. The *Dinamina, Lankadipa* and *Janata* had less than 5 per cent.[31] However, a content analysis conducted by the author in 1970 showed that the Ceylon *Daily News* devoted 24.3 per cent of its newshole to foreign news.[32] The major source of foreign news for all the newspapers is Reuters.

As elsewhere in Asia, the lack of well-trained journalists is a formidable obstacle to quality journalism. The Press Commission recommended that journalism be taught in the universities until the time was ripe to establish a School of Journalism.[33] In 1969 it was decided to award a diploma in mass communication in one of the junior university colleges, but the colleges were closed down the following year with the change of government. However, the Vidyalankara campus of the University of Sri Lanka opened a department of mass communication in 1973.

The place of women is still undefined in the field of journalism. There are no more than two dozen altogether and top positions still elude them. An exception is Mrs. N. M. Wickremasinghe, a daughter of D. R. Wijewardene, who was managing director of Lake House at the time of the "take-over."

Press and Politics

In an analysis of the general election of 1956, Weerawardana asserts that the daily press "played a very important part in every election since 1946."[34] With the introduction of the parliamentary system under the Soulbury constitution, just before the country's independence from Britain in February, 1948, he believed the Lake House press "had verily become a kingmaker."[35] With hardly any competition from the Times group or any other newspapers, the Lake House newspapers were assumed to wield great power over public opinion. From 1947 to 1956 when the country was governed by the United National Party (UNP), which had strong attachments to the local capitalists, Lake House "was almost a member of the 'inner cabinet'" in the view of J. L. Fernando, a high-level Lake House journalist, in a book on the country's first three UNP Prime Ministers—D. S. Senanayake, Dudley Senanayake and Sir John Kotelawala.[36]

D. R. Wijewardene, the founder of ANCL (Lake House), "dreaded Communism and feared the masses"[37] and, as a matter of course, subtly favored the UNP until his death in 1950, when the destinies of his company passed to a trust that was to carry on the company's business until his younger son, R. S. Wijewardene, was ready to take control.[38] Meanwhile the founder's sons-in-law—Esmond Wickremasinghe, George Gomes and Lal Goonertane—joined the company's directorate and attempted behind-the-scene political maneuvers that reinforced the impression that Lake House newspapers, as a matter of policy, supported the UNP and the local capitalist interests. As a result the Lake House press fell into disfavor with the political parties opposed to the UNP.

S. W. R. D. Bandaranaike, a cabinet minister in the UNP Government, quit in 1952 to form a middle-of-the-road political party which he named the Sri Lanka Freedom Party (SLFP). Bandaranaike assumed a socialist posture and formed a coalition with like-minded parties[39] to fight the UNP at the 1956 general election.

He also agreed not to contest the Marxist groups—the Lanka Sama Samaja Party (LSSP) and the Communist Party (CP). These political moves did not receive the sympathy of the majority of the daily papers, which Weerawardana said showed their UNP bias "not merely in the coverage given, but also in the manner of coverage."[40] Only *Lankadipa* appeared to have favored Bandaranaike.

In his analysis of the newspaper coverage of the election, Weerawardana found some signs of partisan bias in the press as a whole.[41]

The pro-UNP bias of the Lake House press came under concentrated attack during the 1956 election campaign. Relying on the findings of an independent Buddhist Commission, the supporters of the Bandaranaike coalition alleged that all daily newspapers were in the hands of Christians. A pamphlet distributed in every Sinhalese-speaking electorate urged a boycott campaign against Lake House. A vociferous group of Buddhist clergy, the Eksath Bhikku Peramuna (United Buddhist-clergy Front), and a respected Buddhist lay leader, L. H. Mettananda, were the prime movers behind this attack.

Government-Press Conflict

With the defeat of the UNP and the election of Bandaranaike as the country's first socialist prime minister in 1956, Lake House ceased to be a member of the "inner cabinet." The socialist policies of the Bandaranaike government were criticized particularly by the English language newspapers. The interim report said the *Times of Ceylon* "remained reactionary and was generally opposed to almost all the governments of independent Ceylon, more so after 1956."[42]

The "monopoly press" issue came under discussion in Parliament in February, 1959, when the third member for Colombo Central, M. S. Themis, introduced a motion that "legislation should be enacted to take over from private ownership and control the Ceylon daily newspapers and entrust the working of the system to an independent corporation for the benefit of the people."[43] This motion, however, never was voted upon.

Bandaranaike was assassinated by a fanatical Buddhist monk in September of 1959. Following a brief period of political confusion

under Prime Minister W. Dahanayake, the country went to the polls in March, 1960, to choose between the SLFP led by C. P. de Silva and the UNP led by Dudley Senanayake. The results were inconclusive but Senanayake formed an interim government. Meanwhile the SLFP elected Sirimavo Bandaranaike, the widow of the assassinated Prime Minister, as its new leader; and when the country went to the polls again in July, 1960, the SLFP emerged as the clear victor.

Commenting on the role of the press during these elections, the Press Commission, appointed later by the SLFP government, asserted that "the press went beyond all bounds in its attempt to do propaganda for the UNP" as evidenced by "a large number of special articles, editorials, and cartoons" produced before the Commission; that "most of the cartoons depicting Mrs. Sirimavo Bandaranaike . . . went beyond the limits of decency" and were even "positively vulgar;" that there was an attempt to show a "very close connection" between the SLFP and the Soviet Union and Communism; and that the press even went to the extent of using astrology, the influence of which "is widespread among all classes of people," to induce the voters to support the UNP.[44]

Meanwhile, concern about "the vast engines that control opinion today" were expressed in academic circles as well. A. J. Wilson, a political scientist, has asserted that "experience of the working of the daily press in this country especially since 1956 has revealed how easy it is to disrupt a government by the pillorying of its leaders, by magnifying completely out of proportion the activities of communal extremists."[45] He went on to say that "if freedom of the press tends to disrupt national unity, if such freedom is utilised to promote civil commotion and conflict between communities, religious or racial, it might become necessary for the state to introduce restrictions which might help toward restoring order or promoting unity."[46]

Wilson argued that "the wholesale imitation of western standards by our societies" was "not altogether conducive towards the economic well-being or national unity;" that some restrictions on the press were necessary or, alternatively, "the press should draw up a code of conduct or observe a self-denying ordinance" in regard to matters affecting national unity and economic well-being; that "the right to free expression" presupposed "a highly politically

conscious people who are not easily driven to violence;" and that in Ceylon "the freedom of the press has in effect become the freedom of newspaper proprietors to freely malign their enemies" and to promote the "conservative and reactionary" policies they support.[47] Wilson further indicted the press thus:

> In this country, though the newspapers have differed in regard to details of policy, there is no doubt that on vital matters, on fundamentals, as for instance the maintenance of the status quo, the sanctity of private property, antagonism to radical changes in the social set up, they have been united in their opposition to parties and Governments which sought to usher in changes in regard to these matters. . . .[48]

The Press Commission

The Sirimavo Bandaranaike Government announced its intention to appoint the Press Commission in the Speech from the Throne read by the Governor General at the opening of the Parliament August 12, 1960. The speech also announced the Government's intention to introduce legislation to take over the Lake House and Times newspapers "and to vest such newspapers in statutory public corporations with unlimited share capital in which individual holdings will be restricted so as to ensure a broadbased ownership."[49]

The Government drafted a bill to take over the newspapers, but the ruling SLFP failed to reach agreement on its terms. The 1961 Throne Speech failed to mention the matter at all. According to Vickery, this delay may have been for two reasons: first, the emergence of Independent Newspapers Ltd., which launched a Sinhalese daily sympathetic to the government and to the Buddhist Sinhalese viewpoint; and, second, the restraint exercised by the Lake House newspapers, which "often seemed inclined to say nothing at all about the government."[50] But the Government's suspicion that Independent Newspapers Ltd. had prior knowledge of a coup attempted in January, 1962, led to an estrangement between the two. A bill "to prevent press monopolies" was called for in the 1962 Throne Speech. But the Parliamentary debate that followed demonstrated that the SLFP itself was divided over the issue.[51]

Several other press bills were subsequently drafted but all of them failed to receive unanimous support in the cabinet of ministers. The 1963 Throne Speech did not mention the press, but

when the LSSP moved an amendment "to end the monopoly of the daily press," the Government announced it had immediate plans to set up a press commission, which it appointed in September, 1963, under the chairmanship of K. D. de Silva, a supreme court justice. The press charged that the two other members of the commission were known to have anti-press sentiments and refused to co-operate with the commission, even after one of the two members was replaced.

A change in the composition of the government in June, 1964, resulted from the coalition of the SLFP with the Marxist LSSP. This linkage was based on a 14-point agreement which included one to "end the press monopoly," and it may have quickened the work of the Press Commission. An indictment of the anti-Marxist press was seen as more essential than ever. Rather than determining political biases of the newspapers through systematic methods the commission depended almost entirely on the selective anti-press evidence produced before it by interested parties. Thus the findings of the commission lacked scientific objectivity when the commission indicted the press both in the interim report it submitted to the Governor General on July 28, 1964, and in the final report it submitted two months later. However, it did serve a political goal of the government in power: to justify its moves against the established press.

The commission alleged that the Lake House and Times newspapers, particularly those published in English, were "chiefly responsible for the prevailing disunity of the various racial and religious groups" in the country and that members of the editorial staffs of these newspapers, many of whom "had been educated in Roman Catholic missionary schools which conditioned them to accept the Greaco-Roman-Christian tradition as something superior, "readily fell into line" with the wishes of the management to fight for the preservation of the undue privileges that a certain class had obtained from foreign rulers. . . ." It further alleged that the two newspaper groups "use their English language and Sinhala language newspapers, and the Lake House group its Tamil language newspaper, to preach disunity to the people and attempt to divide the nation . . ."[52]

The commission recommended immediate steps to change the ownership and control of the newspaper groups including:

- Establishing a state corporation to run the daily newspapers of the Lake House group.
- Broadening the ownership base of the other newspaper groups (Times, Independent Newspapers, Virakesari and Eelanadu) by restricting each shareholder to no more than one-eightieth of the total number of shares issued. (It preferred a cooperative setup for the Times group, however.)
- Setting up a five-member Press Council "in order to safeguard the freedom of the press and the integrity on which its reputation depends, and to uphold the independence and liberty of the subject. . . ."—a body which should be "independent and impervious to pressure from any direction. . . ."
- Establishing a five-member Press Tribunal appointed by the Judicial Service Commission "to deal only with matters referred to it by the Press Council."
- Establishing a national news agency with extensive functions.

Following these recommendations, a bill was introduced in Parliament on September 25, 1964, to establish a Press Council and a Press Tribunal to "exercise general supervision and control over newspaper business . . ." to ensure "a high standard of journalistic ethics" and the presentation of news to the public "fairly, accurately and with regard to truth."[53] While the bill passed the Senate, it failed to come up for debate in the House of Representatives when sponsorship fell to two opposition members through a technicality in Parliamentary standing orders.

Frustrated in its initial attempt, the Government introduced a bill on October 15, 1964, to nationalize Lake House and the Lake House-dominated Press Trust of Ceylon. But it turned out that the bill had not been properly presented, and to overcome this legal technicality the Government decided to furlough Parliament on November 13 and reconvene it on November 20 so that the lapsed press bills could be appropriately reintroduced.

Meanwhile the newspapers joined the Parliamentary opposition in a concerted attack on the Government's "dictatorial tendencies." When the Parliament met on December 3 to vote on the Address of Thanks, six members of the SLFP criticized the Government. Later the SLFP's deputy leader himself, C. P. de Silva, crossed over to the opposition. An amendment to the Throne Speech,

worded in the form of a no-confidence motion, was passed by the House with 13 members of the governing party and one independent voting for it, thus defeating the ruling coalition by one vote. The coalition resigned and a general election was scheduled for March, 1965.

Press Claims Credit

There were allegations from leftist politicians that Lake House used a huge sum of money to influence members of Parliament to cross over to the opposition and defeat the SLFP-LSSP coalition government. No proof of bribery was established but the Lake House directorate never was able to account for a sum of 645,000 rupees (approximately $107,500) voted by the board of directors between October 10, 1964, and March 4, 1965, "to be utilised to safeguard the freedom of the press and the interests of the company and its shareholders from a threat of nationalization."[54]

The Lake House directors said the money was used to pay Buddhist monks and laymen to organize large meetings "to agitate for the freedom of the press and democracy and against nationalisation of newspaper undertakings" and to conduct "propaganda work of the United National Party"[55] in what was described as "a grim battle for [the party's] very survival." The 1965 general election resulted in victory for the UNP under Dudley Senanayake. It owed much to the financial resources of Lake House, even though a significant factor was the unpopularity of the SLFP-LSSP coalition resulting from its proposals to nationalize newspapers and proliferate toddy taverns and its failure to bring down the cost of living.

A director of Lake House exulted that it was now possible "to breathe a little freely as we were not only able to stymie the bill but were responsible for bringing about the defeat the the Government. . . ."[56]

The 1965 general election also led to the emergence of a leftist daily press. Since the establishment press, threatened by nationalization, favored the UNP, the LSSP and the CP Moscow Wing launched their own Sinhalese language dailies, *Janadina* and *Aththa* respectively, to present the anti-UNP point of view. The SLEP added its own daily, *Siri Laka*, in 1968.

The UNP victory helped head off the issue of press nationalization until the matter was raised again during the 1970 general election campaign. The SLFP and its leftist allies failed to provide an unambiguous answer as to whether they intended to bring the newspapers under state control. While the Lake House and the Times newspapers provided an adequate forum for the opposition campaign, both openly favored the UNP. Independent Newspapers Ltd., however, favored the SLFP-LSSP-CP coalition.)

The efforts of the establishment press did not succeed in 1970. The coalition led by Sirimavo Bandaranaike won a steamroller majority of 116 seats out of the 151 elected seats in the Parliament. Wilson surmised that the pro-government daily press was guilty of overkill in their propaganda: "It kept the opposition on its toes and gave the UNP candidates a politically fatal over confidence."[57] A UNP politician observed that, in backing his party, the Lake House newspapers "overstepped themselves."[58]

The Throne Speech of the first session of the new Parliament declared that "freedom of speech, organization, assembly will be guaranteed in law and in practice;" that "freedom of the press will be ensured;" and that "independent newspapers will be encouraged as a means to end the present domination by capitalist monopolies."[59] Nevertheless the coalition government soon indicated its intention to humble the press and discredit Lake House. Legislation for a press council was announced and a commission under Justice T. S. Fernando was appointed in August, 1970, to inquire into the activities of Lake House during the 1960s. The commission, in its report submitted in February, 1971, found Lake House and its directors guilty of several contraventions of the law arising from the purchase and sale of foreign currency, the accumulation of moneys in foreign banks, tax evasion and other counts.[60]

Government Retaliates

Legislative action against the press appears to have been delayed because two problems diverted the energies of the Government: the April, 1971, youth uprising that led to a long-drawn-out press censorship and the ruling parties' preoccupation with the drafting of a new republican constitution, which replaced the Soulbury constitution on May 22, 1972.

With the uprising quelled and the new constitution adopted, the Government of Sri Lanka, backed by its sweeping Parliamentary majority, was ready to defeat the "monopoly press." A Sri Lanka Press Council Bill was placed on the Parliamentary agenda on November 7, 1972. Challenged by eight petitioners, the bill had to be referred to the Constitutional Court, an advisory body to the Speaker, to determine its consistency with the freedom of expression guaranteed in the new constitution. Soon there was a showdown between the Government and the chairman of the Constitutional Court, Justice T. S. Fernando. The constitution set a 14-day limit on the Court's deliberations but Fernando took the view that the time limit was not mandatory but directory. When the Court failed to report in 14 days, the Speaker announced that the National State Assembly would proceed with the bill.

During the debate on the new "constitutional crisis," the Government asserted that the constitution "nowhere recognizes any theory of separation of powers." It said the executive and judicial institutions "are not independent of the National State Assembly," which is "the supreme instrument of State power."[61] By prolonging its sittings unconstitutionally, it was argued, the Court would only "produce a very valuable piece of paper which they could put into their own archives."[62] When the Government withdrew the attorney general from the proceedings of the Court, the Court submitted its resignation.

A new development took place on January 19, 1973, when the Speaker ruled that the Assembly could not debate the press council bill until an opinion on its validity was first obtained from the Constitutional Court. He ruled that the Court chaired by Justice Fernando had not been properly constituted and that the proceedings of that court were not in conformity with the provisions of the constitution.[63]

Thereafter the bill was referred to a new Constitutional Court chaired by Justice Jaya Pathirana, who had been in active politics as a member of the SLFP from the party's inception until 1972. Justices Pathirana, C. V. Udalagama and T. Wijesundere, who comprised the Court, advised the Speaker on February 11 that "we see nothing inconsistent in the provisions of the Bill with the pro-

visions of the Constitution. It is not the monster that has been painted to the public from the time it was tabled (and) a Bill of this nature is essential for the proper and efficient functioning of the democratic process . . . and to safeguard the rights of the common man and the Press."[64]

In the main, the petitioners had submitted that the bill's provisions were inconsistent with the articles in the constitution that deal with fundamental rights and freedoms and with the exercise of executive and judicial power.[65] The reasons adduced by the Court in dismissing the petitions were not provided at the time the bill was taken up for discussion in the Assembly on February 22, whereupon the opposition refused to participate in the debate. On a single day the Assembly passed the controversial Press Council bill through all its stages by 112 votes to 0.

The Press Council Law

The law created a seven-member Press Council appointed by the President except for one ex-officio member, the director of information. Membership was to include a person representing "the working journalists"[66] and another representing "the interests of the employees of newspaper businesses," each original appointee to hold office for three years. A new appointee to a vacancy was to serve only for the unexpired term.

Clause 16 of the law, which received a barrage of criticism, makes it an offense for newspapers to publish, without official approval, any of the following types of government news:

any matter which purports to be the proceedings . . . of a meeting of the Cabinet of Ministers;

any matter which purports to be the contents . . . of any document sent by or to all or any of the Ministers to or by the Secretary to the Cabinet; or

any matter which purports to be a decision . . . of the Cabinet.

Publication of the above types of news requires the prior approval of the Secretary to the Cabinet. Other types of news that cannot be published without the official approval of the Secretaries to the Ministries include:

any statement relating to monetary, fiscal, exchange control or import control measures alleged to be under consideration by the Government

or by any Ministry or by the Central Bank, the publication of which is likely to lead to the creation of shortages or windfall profits or otherwise adversely affect the economy of Sri Lanka; and

any official secret within the meaning of the Official Secrets Act or any matter relating to the military, naval, air-force or police establishments, equipment or installation which is likely to be prejudicial to the defense and security (of the country).

Clause 16 also makes it an offense to publish

any proposal or other matter, alleged to be under consideration by any Minister or any Ministry or the Government, when it is false that such proposal or matter is under consideration. . . .

Referring to the last, the Constitutional Court surmised that it "does not restrict freedom of the press in any way as it only prevents the press publishing news that is *knowingly false*. . . ."[67]

Clause 15 of the law makes it an offense to publish any profane, indecent or obscene matter, advertising injurious to public morality or defamatory matter as defined in the clause.

The Government explained that Clauses 15 and 16 "have really nothing to do with the Press Council itself" and that any offenses in violation of these Clauses are "triable before the ordinary courts and not by the Press Council." The Government further explained that the "Press Council has no powers except of an administrative and advisory character" and that its only judicial powers are found in Clause 9, under which "if the Press Council receives a complaint that any statement published in a newspaper is factually false they have the right to call up the newspaper or the editor and to hold an inquiry . . ." and exercise its powers "to correct, censure and order an apology." As with any other law, there is a "right of obtaining a writ from the Supreme Court."[68] In other words, Press Council findings could be appealed.

The Government admitted that the Press Council is "not an independent body"; its function was to implement government policy. Under Clause 10 the Council may "prescribe a code of ethics for journalists" and, among other things, "promote technical or other research."

The law, however, does not require "disclosure of the source of information relating to any item of news published in any news-

paper," a provision the Government had included in an earlier version of the bill.

In the view of the Constitutional Court "the Press Council is merely exercising a fact-finding function . . ." and "the decision of the Council is open to review by the Supreme Court." And, again, the Magistrate who hears a case against any person tried for disobeying a lawful order of the Council is entitled "to go into the entirety of the steps taken by the Council before a particular order was made, to determine whether the order so made was lawful."[69]

The Lake House Law

Turning next to the country's largest newspaper publishing company, the Government, on May 18, 1973, placed on the Parliamentary agenda the Associated Newspapers of Ceylon Ltd. (Special Provisions) Bill. As expected, six directors and shareholders of the company challenged the legality of the bill and the matter came before the Constitutional Court—the same judges who gave the decision on the Press Council Bill.

The petitioners argued that the bill violated the fundamental rights of equality before the law and equal protection of the law, of freedom of association and freedom of speech. The petitioners also asked that Justice Pathirana be disqualified, arguing that "he supported the change of ownership" of Lake House "both inside and outside Parliament" as an SLFP member.[70] However Justice Pathirana remained as chairman of the Court.

The bill contained provisions to effect the following changes:[71]

- Reduce the then shareholders of the company to ownership of only 25 per cent of the total shareholding, no single shareholder owning more than two per cent of the total number of shares;
- Vest the remaining 75 per cent of the shares with the Public Trustee, who would from time to time, under the direction of the Prime Minister, sell the shares he holds to members of the public (so defined as to include cooperative societies, trade unions, working journalists and other newspaper employees) until he disposes of the entire shareholding, again on the basis that no single member of the public will hold more than two per cent of the total number of shares; and
- Hand over control of the company to an interim board of directors appointed by the Public Trustee (comprising five members, including

a then shareholder of the company, a working journalist of the company and a qualified accountant) on an "appointed date;" such control to pass to a new board of directors partly elected by the shareholders at the first annual general meeting.[72]

Under the bill's provisions, the Public Trustee could issue "general or special directions" to the board in matters other than "editorial policy" and "free expression of opinion" as long as he holds at least 51 per cent of the shares. When the Public Trustee holds more than 50 per cent of the shares, he can appoint three directors of the five, the other two to be elected by the shareholders. The number of directors the Public Trustee can appoint steadily declines with his divesting of shares until he falls below 20 per cent, when he cannot appoint a director. The directors charged by the T. S. Fernando Commission with having contravened the law were to be ineligible to serve as *directors* for three years from the "appointed date."

The Constitutional Court, which advised the Speaker on June 24, declared that none of the provisions of the bill was inconsistent with the Constitution. While the Court held "that the provisions of the Bill . . . have the effect of depriving the members of the company of their right to freedom of speech and association" and to "freedom of publication," it asserted that

> . . . On a careful consideration . . . , we are of the view that this Bill is being enacted in the interests of national economy, the development of collective forms of property, raising the moral and cultural standards of the people and to eliminate economic and social privilege or disparity and exploitation and to ensure equal opportunities for all citizens, all of which come under the principles of State policy

as set out in Article 16 of the constitution.[73]

The Court further held that fundamental rights are "subject to permissible limitations" as envisaged in Article 18 (2) of the constitution and that "the equal protection clause does not take away from the State the power to classify persons for legislative purposes." The Court was of the view that

> The policy of the Government to broadbase the ownership of newspaper companies, the recommendation of the Press Commission that ANCL be acquired by a newspaper corporation in order to break up the concentration of ownership and the reasons given by the Press

Commission for this, the findings of the Royal Commission in regard to the contravention of the Exchange Control Act and the Inland Revenue Act by ANCL . . . , all justify the objects of the Bill.

While the Court granted that the "Bill *ex facie* discriminates against ANCL," it said the reasons already adduced provided "an intelligible differentia which distinguishes this Company from other companies" to come "within the principle of classification."[74]

The Court asserted that "in the guise of claiming freedom of publication," the petitioners were "in fact claiming rights to property, which fundamental right is non-existent in our Constitution."[75] The "wide circulation" of the Lake House newspapers and the company's "power and influence," the Court said, gave it "an undue advantage in moulding public opinion to its own way of thinking."[76]

During the Parliamentary debate on the bill, the opposition questioned the need to take over Lake House, asserting that "during the last three years this newspaper company [has] adhered to government policies to the very letter," thereby suffering a large reduction in circulation.[77] Prime Minister Bandaranaike charged that the reason for the precipitous drop in circulation was that Lake House "reduced the number of copies deliberately" to "prove" there was a newsprint shortage.[78]

The Assembly approved the bill in the early hours of July 19 by a vote of 111 to 21. The following day the affairs of the Associated Newspapers of Ceylon Ltd. were taken over by a board of directors appointed by the Public Trustee. The socialist Government had finally defeated its arch enemy.

The Future of the Press

The present SLFP-LSSP-CP ruling socialist coalition led by Sirimavo Bandaranaike, elected for a five-year period in 1970, has lengthened its life by two additional years in the process of adopting the country's new republican constitution. If the Banaranaike government lasts through its legal life-span, freedom of the press in the libertarian sense has only a bleak chance of revival until 1977 or, given another election victory for the ruling parties that year, much later.

The provision enabling the Prime Minister to oversee the sale

of Lake House shares could be used for the purpose of assuring shareholders loyal to the ruling coalition. Once the Public Trustee loses his power to appoint directors, the shareholders may thus continue to elect a majority of directors loyal to the coalition. If this happens, the government-press conflict will be caught in a vicious circle with every change of government.

The ruling coalition is committed to broad-basing all the private newspaper publishing companies. Therefore, steps might well be taken next to force the country's second largest publishing group, Independent Newspapers Ltd., to open itself as a public company under conditions similar to those imposed on Lake House. And the smaller Tamil newspaper groups might have to follow suit.

While the *concept* of broad-basing the oligopolistic newspaper publishing companies appears to be desirable in the context of the island's socio-economic disparities, the *process* of broad-basing could be misused for the political advantage of those who oversee its implementation.

The same could be said of the Press Council. The *concept* may be laudatory but it, too, could be misused for political advantage. The 1963 Press Commission recommended an unequivocally independent press council that "should be completely immune from any political or other pressure" because if it were "susceptible to political pressure a dictatorial form of Government" would be at hand.[79] But the first press council, plainly chosen for political loyalty, belied the commission's expectation; and the Government frankly admitted that such a body could not be independent, inasmuch as it had to implement state policy. With the Government further asserting the subordination of the judiciary to the supreme legislature (there being no separation of powers), the decisions of the Press Council, even though appealable in the courts, could assume an implicit finality, particularly when the issues are politically sensitive.

If the ANCL newspapers continue declining in circulation while the Independent Newspapers capture the lead, the Government will have to reconsider its use of newspapers as an instrument of promoting state policy. Ceylonese readers have, in the past, not backed papers which fail to assert some degree of independence. (Hence the low circulation of the political party dailies.)

A rapid growth in newspaper circulation cannot be expected, considering the enormous economic and foreign exchange problems of the country, unless the cost of newsprint turns downward.

The government-press conflict in Sri Lanka, as in most other countries, has persisted because the rulers exaggerate "the power of the press" and because of excesses committed by newspapers. Freedom of the press requires both an enlightened government and a responsible press.

Postscript*

THE Bandaranaike Government further tightened its grip on the press in 1974. The major development included sealing Independent Newspapers Ltd., the only newspaper group which continued to be critical of the government; selling almost a quarter of Lake House (ANCL) shares to State corporations and cooperatives, thereby ensuring continued government control; setting up a high-level ministerial committee "to undertake a comprehensive review of the work of mass media" and taking judicial action against journalists in performance of their duty.

Independent Newspapers Ltd. Censored

Under the emergency regulations which have been in force since the abortive youth uprising of April, 1971, the government sealed the printing press of Independent Newspapers Ltd. and reintroduced press censorship on April 20, 1974. In a broadcast address to the nation, the Prime Minister asserted that the newspapers of this company were spreading "invented or deliberately distorted untruths and half-truths" and that the government cannot allow "the immense power of the press to be prostituted for narrow and selfish ends."[80] The press was sealed, she said, for supporting "a civil disobedience campaign" organized by the opposition, for "flouting of emergency regulations preventing the transport of rice" and for trying to "incite the people."[81]

With the Times group already toeing the government line partly because of the need to depend heavily on government advertising for existence, the Independent group had become the lonely voice of the opposition. Due to newsprint shortages and lack of advertising, the Independent group was reduced to putting out four-page papers.[82] However, in terms of circulation, this

* The preceeding sections were completed and submitted in early 1974. This Postscript reports on development through the end of 1974.

group was rapidly getting ahead of the other two major groups.[83] This, perhaps, may have been the more pragmatic reason for sealing the Independent group.

A member of Parliament introduced a motion before the National State Assembly urging the repeal of the emergency regulations (under Section 5 of the Public Security Ordinance) sealing the Independent Newspapers Ltd. because, *inter alia*, they denied the constitutional guaranteee of freedom of thought and expression, were gradually leading the government towards dictatorial rule and "have blocked the sole means of supplying information to the people of undesirable and anti-social acts" of the government.[84]

During the debate the opposition members argued that the government used emergency regulations to seal the Independent group because it could not have proven its charges against those newspapers had the case been taken to its own Press Council, which had judicial powers as well; that the government could have made use of the country's civil and criminal legal procedure if the sealed newspapers were disseminating false information, and that the government had acted on the advice of the ultra-leftist *Janavegaya* group, which had seized both Lake House and the broadcasting corporation.[85]

A government member argued that the Independent group was making a big issue of its newsprint allocation for selfish ends; that one of its papers, the *Weekend*, published nude and semi-nude pictures with the ulterior motive of diverting the attention of the country's youth from solving national problems; that the country's development should have precedence over all the talk about freedom, and that it was far more desirable to have one or two daily newspapers, rather than a multiplicity, as a means of saving foreign exchange.[86]

That the government chose to seal the Independent group rather than seek redress through the Press Council or the ordinary law of the land was another indication of its determination to tame the press. The Prime Minister has stated that if the sealed newspapers were "prepared to act responsibly" they would be permitted to publish again. However, they continued to remain sealed as of the end of 1974. An application filed by three share-

holders of the company seeking an interim injunction against the government's competent authority to seal the press was dismissed by the High Court.[87]

Lake House Control

Almost a year after the virtual take-over of Lake House, the government introduced emergency legislation in the National State Assembly on July 2, 1974, to sell 14 per cent of the shares to seven state corporations and another 10 per cent to 20 co-operative societies.[88] Introducing the amendment to the original ANCL (Special Provisions) Act, the Prime Minister said that these shares had to be sold prior to holding the first annual general meeting of the new company and that a doubt had arisen as to whether state corporations could be considered "members of the public" as defined in the original law. These corporations were interested in Lake House shares, she said, because they were "heavy advertisers."[89]

The Prime Minister said the shares could not be sold earlier because of problems with their valuation. The auditing of the previous company's accounts for the 1972 calendar year had been completed only in January, 1974. The valuation panel had to await the audited balance sheets in fixing the value of a share at 6.35 rupees, both for purposes of paying compensation to previous shareholders and selling the shares to the public.

An assurance was given by the Prime Minister that the remaining 60 per cent of the company's one million shares still held by the Public Trustee would be issued to whomever wished to buy them, hopefully "within the next year."

The opposition contended that the amending legislation was another effort by the state to monopolize Lake House because, as one member said, "corporations would naturally be controlled by the state," and it was "only a ruse by the government to get its own men on the directorate."[90] As if to prove the opposition argument, the shareholders elected two state corporation officials to the company's directorate at the first annual general meeting, the other three directors being appointed by the Public Trustee. The directors who represented the working journalists and the original shareholders of the company were dropped.[91]

There has been speculation that the Prime Minister's decision to sell the ANCL shares to corporations and cooperatives is an

indication of the ruling SLFP's resistance to pressure from its Trotskyite and Communist coalition partners to sell the shares to trade unions dominated by them. However, the decision to sell shares to state corporations, which have advertising interests in the newspapers, and their clear presence in the company's directorate are bound to affect the freedom of the Lake House group to disseminate news.

Ministerial Committee on Mass Media:

Having brought the mass media under its control, the government has directed a high-level ministerial committee headed by Housing Minister Pieter Keuneman to review the work of the mass media and make necessary recommendations.[92] Since August, 1974, this committee has sought the advice of newspaper editors, journalists' associations, cultural organizations and relevant public bodies on the following matters:

a) If there is a communication gap between the mass media and the people, particularly the rural people, how should this gap be closed to "ensure the interchange and free flow of ideas between the masses and the mass communicators?"

b) What role should the mass media play in making known to the people the policies and activities of the government and in improving their understanding of "the socio-economic transformation taking place as a result of government policies?"

c) What steps should be taken by locally based correspondents of foreign publications and news agencies as well as the country's diplomatic representatives abroad to "present a correct picture relating to events in Sri Lanka and the policies of the government?"

d) What should be done to "forge closer links between the government information services and the mass media representatives in the private sector?"[93]

As a by-product of the initiative of the ministerial committee, the local correspondents of foreign news outlets formed the Sri Lanka Foreign Correspondents' Association with membership limited to Ceylonese but associate membership open to non-Ceylonese. At a meeting with the members of the association, the committee announced that "in order to correct wrong impressions abroad, the government wanted to establish a continuous and cordial dialogue with Ceylonese contributors to the foreign press."[94]

Subsequently the committee also decided to have monthly off-the-record meetings with editors of the national press. The committee has already expressed the view that there is an urgent need for an "in-depth" study of all aspects of the newspaper industry's present situation, particularly the economic pressures brought about by soaring newsprint costs and various taxes.[95]

The task assigned to the ministerial committee appears to be intended to get the country's mass media to toe the government line. Some Asian mass communicators are already advocating "support journalism."[96]

Judicial Action Against the Press

The courts themselves have assumed a tough attitude toward erring journalists. In the first case of its kind in Sri Lanka, a journalist was jailed for contempt of court for a story entitled "Dress Sense" published in the *Ceylon Daily News*, the Lake House English language newspaper.[97] The story referred to a ruling made by the Criminal Justice Commission (Exchange Fraud)[98] that a witness who appeared before it in a bush shirt was not properly dressed. The writer commented that "there are many litigants who simply have nothing else to wear." An abject apology that appeared in the newspaper's front page did not satisfy the court.

Two other journalists of the banned Independent Newspapers Ltd. were remanded in December, 1974, for refusing to divulge their sources of information. In a story published in the *Weekend* of Sept. 3, 1972, they alleged that Sri Lanka businessmen and politicians were operating accounts in foreign banks in contravention of exchange control regulations. They now face six months to two years in jail.[99]

Press Council Action

From the time the Press Council came into being in March, 1973, until the end of that year, 41 complaints were brought to its attention, including 21 against Independent Newspapers Ltd., 8 against *Aththa* Publishers, 6 against ANCL and 5 against the Times group. In addition to complaints initiated by the Council itself, complaints were lodged by trade unions, co-operatives, government departments and corporations, members of Parliament and private individuals.

Of the 41 complaints the Council deemed 29 worthy of inquiry. By the end of 1973 only three cases had been concluded out of the nine on which hearing commenced. In one case, the Council ordered an apology to be published; in another, the editor agreed to publish a second correction where the complainant was not satisfied with an earlier correction, and in the third, the case was settled without inquiry when the complainant expressed satisfaction with corrections already made.

During 1973 all the inquiries that came up before the Council were under Clause 9 of the Press Council Law. "The very existence of the Press Council has been a deterrent to irresponsible journalism," the Council said. "In fact, over the months we have observed that the number of complaints has gradually decreased and this is largely due to the fact that orders and the precedents set up by the Press Council have resulted in instilling among the journalists of our country a salutary regard for the elementary principles of propriety and decorum.[100]

NOTES

[1] The Dominion of Ceylon became the Republic of Sri Lanka on May 22, 1972.

Nearly 70 per cent of the country's 13 million people are Sinhalese who are largely Buddhists; and nearly 22 per cent are Tamils who are largely Hindus. The rest are Moors, Burghers and others. About 15 per cent of the population are Christians and Muslims. The country's literacy rate is about 81 per cent.

The Portuguese occupied the coastal areas of the island in 1505. In 1658 the Dutch replaced the Portuguese as rulers. They in turn were replaced by the British in 1796. Kandy, the island's last free kingdom, was conquered by the British in 1815. Universal suffrage was granted in 1931 under the Donoughmore constitution.

Britain granted independence to Sri Lanka in 1948. Under the Soulbury constitution, the country adopted a parliamentary system on the British model. The parliament was composed of an upper house (the Senate) and a lower house (the House of Representatives) with the British sovereign represented by a Governor-General. The executive power was in the hands of a Cabinet of Ministers headed by a Prime Minister responsible to the legislature.

The country's new constitution declared Sri Lanka a free, sovereign and independent republic pledged to realize the objectives of a socialist democracy deriving its power and authority solely from the people. It adopted a unicameral legislature, the National State Assembly (actually the House of Representatives renamed). The office of the Governor-General was replaced by that of the President (the same individual assuming the new office).

[2] James C. Thomson, Jr., "Government and Press—Good News About a Bad Marriage," speech given at Pacem in Terris III convocation in Washington, The New York Times Weekly Review, November 25, 1973.

[3] H. A. J. Hulugalle, "Mass Media—The Press" in *Education in Ceylon—A Centenary Volume* (Colombo: The Ministry of Education and Cultural Affairs, 1969), p. 1224.

[4] K. H. M. Sumathipala, *History of Education in Ceylon 1796-1965* (Colombo: Tisara Prakasakayo, 1968), pp. 373, 375 and 379.

[5] Hulugalle, *op. cit.*, 1227. See also Hulugalle's chapter on Ceylon in John A. Lent (ed.), *The Asian Newspapers' Reluctant Revolution* (Ames, Iowa: The Iowa State University Press, 1971). The historical information in this section is derived mainly from Hulugalle.

[6] Shelton A. Gunaratne, "Government-Press Conflict in Ceylon: Freedom versus Responsibility," *Journalism Quarterly*, Vol. 47, No. 3, Autumn, 1970, p. 534.

[7] These include *Sarasaviya, Budusarana, Mihira, Tharunee, Subasetha, Vathkama, Lassana* and the fortnightly *Nava Yugaya.*

[8] An English language evening daily, *The Star*, which the company launched in 1967, was eventually discontinued.

[9] These include *Iranama, Satuta, Tikira, Visitura, Rasakatha, Gitanjali,* and the monthly *Sri.*

[10] *Vanitha Viththi* and *Rasavahini.*

[11] *Ceylon News,* Dec. 6, 1973. Article by Constitutional Affairs Minister Colvin R. de Silva.

[12] *Ibid.* Statement tabled in the National State Assembly by Prime Minister Sirimavo Bandaranaike.

[13] *Sessional Paper VIII—1971: Report of the Commission Appointed Under the Commission of Inquiry Act to Inquire into and Report on Certain Matters Affecting the Associated Newspapers of Ceylon Ltd., and Other Connected Companies.* Colombo: Department of Government Printing, June 1971, para. 18.

[14] Sri Lanka, *National State Assembly Debates,* Official Report (Uncorrected), Vol. 6, No. 11 (1), July 10, 1973. Cols. 1973-1974 (Decision of the Constitutional Court).

[15] *Sessional Paper XI—1964: Final Report of the Press Commission.* Colombo: Ceylon Government Press, October, 1964, pp. 133-41.

[16] *Sessionail Paper IX—1964: Interim Report of the Press Commission.* Colombo: Ceylon Government Press, August 1964, para. 10.

[17] Sri Lanka, *National State Assembly Debates,* Official Report (Uncorrected), Vol. 6, No. 13, July 17, 1973. Cols. 2375-2376 (Speech by Prime Minister Bandaranaike quoting the *Times of Ceylon* of May 14, 1973).

[18] *Ibid.*

[19] *Ceylon Daily News,* Dec. 20, 1973. Report of Parliamentary speeches by N. Wimalasena and R. Premadasa, politicians of the opposition United National Party.

[20] *IPI Report,* Vol. 23, No. 1, January 1974, p. 16.

[21] UNESCO, *Statistical Yearbook 1971.* Paris: UNESCO, 1972, pp. 754, 786.

[22] Shelton A. Gunaratne, "Mass Media Information, Social Differentiation and Modernization: A Longitudinal Survey of Four Ceylonese Villages," Ph.D. Thesis, University of Minnesota, Minneapolis, 1972, pp. 3 and 70.

[23] D. C. Ranatunge, "Mass Communication in Ceylon," paper read at AMIC correspondents' meeting in Singapore, December, 1971.

[24] Gunaratne, *supra* 22, pp. 83-4.

[25] Robert N. Kearney, *Communalism and Language in the Politics of Ceylon* (Durham, N. C.: Duke University Press, 1967), pp. 17-18.

[26] *Ceylon News, supra* 12 (Statements tabled in the National State Assembly by Prime Minister Bandaranaike and Opposition Leader J. R. Jayewardene).

[27] *Sessional Paper XI—1964, supra* 15, paras. 178, 180-84 and Appendix V.

[28] *Facts About Ceylon* (Colombo: International Advertising Services, Ltd., October 1968).

[29] *Ceylon News, supra* 12.

[30] *Sessional Paper XI—1964, supra* 15, paras. 246, 247.

[31] *Ibid.,* Appendix V.

[32] Han C. Liu and Shelton A. Gunaratne, "Foreign News in Two Asian Dailies," *Gazette,* Vol. XVIII, No. 1, 1972, p. 38.

[33] *Sessional Paper XI—1964, supra* 15, para. 231.

[34] I. D. S. Weerawardana, *Ceylon General Election 1956* (Colombo: M. D. Gunasena & Co. Ltd., 1960), p. 126.

[35] *Sessional Paper IX—1964, supra* 16, para. 17.

[36] *Ibid.*, paras. 19, 21.

[37] *Ibid.*, para. 16.

[38] R. S. Wijewardene became chairman of the ANCL board of directors in June, 1962. He continued as chairman until July 19, 1973, when under a law passed by the National State Assembly, a new board of directors was appointed by the Public Trustee.

[39] This coalition was named Mahajana Eksath Peramuna (People's United Front). The partners to the coalition included K. M. P. Rajaratne's Bhasa Peramuna (Language Front) and Philip Gunawardene's Viplavakari (Revolutionary) LSSP.

[40] Weerawardana, *op. cit.*, p. 131.

[41] *Ibid.*, p. 132.

[42] *Sessional Paper IX—1964, supra* 16, para. 27.

[43] *Ibid.*, para. 32.

[44] *Sessional Paper XI—1964, supra* 15, para. 164.

[45] "The Press in a Democracy," paper read at a Student Christian Movement seminar, Sept. 3, 1960, published by SCM, Colombo, p. 6.

[46] *Ibid.*, p. 5.

[47] *Ibid.*, pp. 6-9.

[48] *Ibid.*, p. 15.

[49] *Sessional Paper IX—1964, supra* 16, para. 33.

[50] Raymond E. Vickery, Jr., "The Ceylonese Press and the Fall of the Sirimavo Bandaranike Government," *The South Atlantic Quarterly*, Vol. 46, No. 3, Summer 1967, p. 426.

[51] Gunaratne, *supra* 6, p. 536.

[52] *Sessional Papers XI—1964, supra* 15, paras. 38, 111, 200.

[53] *IPI Report*, Vol. 13, No. 7, November 1964, p. 6.

[54] *Sessional Papers VIII—1971, supra* 13, paras. 213, 224, 238.

[55] *Ibid.*, para. 242.

[56] *Ibid.*, para. 255.

[57] A. J. Wilson, "Recent Political Developments in Ceylon—Rising Expectations Still to be Satisfied." *The Round Table* No. 241, January 1971, p. 140.

[58] Sri Lanka, *National State Assembly Debates*, Official Report (Uncorrected), Vol. 6, No. 14, July 18, 1973. Column 2613. Speech by A. C. S. Hameed, first MP for Akurana.

[59] *Ceylon Daily News*, June 15, 1970, p. 5.

[60] *Sessional Paper VIII—1971, supra* 13, Appendix K.

[61] Sri Lanka, *National State Assembly Debates*, Official Report (Uncorrected), Vol. 4 (1), No. 7, December 12, 1972, Column 1343. Speech by Felix R. D. Bandaranaike, minister of public administration, local government and home affairs, and minister of justice.

[62] *Ibid.*, Column 1560, Speech by Dr. Colvin R. de Silva, minister of plantation industry and minister of constitutional affairs.

[63] Shelton A. Gunaratne, "The Sri Lanka Press Council," *Editor & Publisher*, March 31, 1973, pp. 16, 20.

[64] Sri Lanka, *National State Assembly Debates,* Official Report (Uncorrected), Vol. 5, No. 5, Feb. 22, 1973, Cols. 789-90.

[65] *Ibid.,* Cols. 753-4.

[66] The members of the Press Council, appointed on June 14, 1973, were three lawyers (Chairman A. K. Premadasa, K. Shanmugalingam and S. S. Wijeratne), a former government servant (Nissanka Wijeratne), a trade unionist (A. S. Moulana), a teacher (Indrapala Abeyweera) and the director of information (Ridgway Tillekeratne). When an opposition member of Parliament asked who represented the "working journalists," the Government informed him that Abeyweera, nominated by the Afro-Asian Journalists' Association, filled that position. (*Ceylon News,* June 28, 1973.)

[67] Sri Lanka, *National State Assembly Debates, supra* 64, Cols. 779-80.

[68] *Ibid.,* Cols. 586-8 and 590 (Speech by Felix R. D. Bandaranaike) and Cols. 618, 624 (Speech by C. X. Martyn, MP for Jaffna). Martyn, a pro-Government Tamil, was a former boss of Times of Ceylon Ltd.

[69] *Ibid.,* Cols. 769-70.

[70] *Ceylon News,* June 21, 1973, p. 5.

[71] Shelton A. Gunaratne, "Public Ownership of Papers Sought in Sri Lanka," *Editor & Publisher,* May 26, 1973.

[72] On the "appointed date," July 20, 1973, a new board of directors was appointed by the Public Trustee. The chairman of the Press Council, A. K. Premadasa, was also named as chairman and managing director of the company. The other appointed directors were Mervyn de Silva (working journalist), C. H. Hulugalle (then shareholder), M. A. A. de Abrew and W. Siriwardena. The previous board consisted of Ranjit S. Wijewardene (Chairman), Lal C. Gooneratne, Mrs. N. M. Wickremesinghe, E. E. C. Abayasekera and D. G. Munasinghe.

[73] Sri Lanka, *National State Assembly Debates, supra* 14, Cols. 1983-6.

[74] *Ibid.,* Cols. 1963-4, 1967-8, 1977-80.

[75] *Ibid.,* Cols. 1891-2.

[76] *Ibid.,* Cols. 1973-4.

[77] Sri Lanka, *National State Assembly Debates, supra* 58, Cols. 2488-9 (Speech by N. Wimalasena, MP for Senkadagala).

[78] *Ibid.,* Col. 2677 (Speech by Sirimavo Bandaranaike).

[79] *Sessional Paper XI—1964, supra* 15, para. 218.

[80] *Ceylon News,* May 2, 1974, p. 3.

[81] Shelton A. Gunaratne, "The End of the Independent Line," *Media,* Vol. 1, No. 6, June 1974, p. 24.

[82] *Straits Times Malaysia,* July 4, 1974, p. 10. (Article by Lucien Rajakaruna, "Mrs. B limps from crisis to crisis.")

[83] The Times group had suffered the sharpest decline in circulation with the *Lankadipa* at 28,000 copies per day (compared to 67,000 earlier), the *Daily Mirror* at 12,500 (25,000 earlier) and the *Times of Ceylon* at 6,000 (8,300 earlier). These figures were supplied by the circulation manager, Times of Ceylon Ltd., in letter dated April 24, 1974.) The Prime Minister herself had admitted the noticeable decline in the circulation of Lake House newspapers earlier, *supra* 12 and 26.

[84] Sri Lanka, *National State Assembly Debates*, Official Report (Uncorrected), Vol. 11, No. 1, June 5, 1974, col. 63. The motion was introduced by Prins Gunasekera, the independent member for Habaraduwa.

[85] *Ibid.*, Cols. 75-6, Speech by Prins Gunasekera; cols. 130-31, 141 and 143, Speech by R. Premadasa (UNP—Colombo Central). A leader of the *Janavegaya* group is Kumar Rupasinghe, the prime minister's son-in-law.

[86] *Ibid.*, cols. 113-17 and 125, Speech by Tennyson Edirisuriya (SLFP—Tissamaharama).

[87] *Ceylon News*, Aug. 29, 1974, p. 9. High Court Judge Percy Colin Thome ruled that Regulation 55 of the Emergency Regulations deprived the Court of the power to grant an injunction under Section 21 of the Administration of Justice Law.

[88] The corporations included the Ceylon Shipping Corporation, the Ceylon Petroleum Corporation, the Insurance Corporation of Sri Lanka, the National Savings Bank, the Paddy Marketing Board and the Film Corporation. The co-operative societies included those in Agrapatana, Alawala, Dodangaslanda, Weerapokuna, Baddegama, Ratnapura, Polgahawela, Puttalam, Duvulapitiya and Kurunegala.

[89] Sri Lanka, *National State Assembly Debates*, Official Report (Uncorrected), Vol. 11 No. 5, July 2, 1974, cols. 721-4. Speech by Prime Minister Sirimavo Bandaranaike. Also see Shelton A. Gunaratne, "Government Takeover," *Media*, Vol. 1 No. 8, August 1974, pp. 23-4.

[90] *Ibid.*, cols. 727-32. Speech by UNP's R. Premadasa.

[91] *Supra* 72. De Silva and Hulugalle ceased to be directors. L. Piyasena, chairman of the Film Corporation, and M. Sanmuganathan, chairman of the National Savings Bank, were elected to replace them. The Public Trustee re-appointed Premadasa, De Abrew and Siriwardena.

[92] Keuneman, a Moscow-wing communist, was a one-time journalist. Information Minister R. S. Perera and Cultural Affairs Minister S. S. Kulatilleke are the other members of the mass media committee. This committee is part of the larger seven-member sectoral committee of the National Planning Council.

[93] *Ceylon News*, Aug. 1, 1974, p. 1; Aug. 29, 1974, p. 8, is quoted. See also *Far Eastern Economic Review*, Aug. 30, 1974, p. 24.

[94] *Ceylon News*, Sept. 12, 1974, p. 11; Oct. 10, 1974, p. 9.

[95] *Ceylon News*, Oct. 31, 1974, p. 8.

[96] Ernest Corea, "Should Newspapers in Asia Be Freed?" *Media Asia*, Vol. 1, No. 2, 1974, pp. 7-11.

[97] *Far Eastern Economic Review*, June 24, 1974, p. 26. The journalist in question was Fred Silva, deputy editor of the newspaper. In addition to a six-month sentence (which was later reduced by the country's President), he was fined 2,000 rupees. The acting editor, Clarence Fernando, was fined another 2,000 rupees; its features editor, S. Pathiravitane, was fined 500 rupees, and the company itself was fined 5,000 rupees.

[98] The three commissioners were G. P. A. de Silva (chairman), Jaya Pathirana and D. Q. M. Sirimanne.

[99] The two journalists are N. Gamage and S. Thillainathan. Reuters story in *The Star*, Malaysia, Dec. 5, 1974.

[100] *Annual Report of the Sri Lanka Press Council for 1973.* Colombo,, August 1974, pp. 5-6 (mimeographed).

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No. 39—Shelton A. Gunaratne, "The Taming of the Press in Sri Lanka." *May 1975*